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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,357	08/09/2001	Nicholas D.L. Thorne	GB 000104	6115
24737	7590	04/06/2005	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			LE, VIET Q	
P.O. BOX 3001			ART UNIT	PAPER NUMBER
BRIARCLIFF MANOR, NY 10510			2667	

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/925,357		THORNE ET AL.	
	Examiner		Art Unit	
	Viet Q. Le		2667	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>08/09/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show descriptions of each functions as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended-replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The abstract of the disclosure is objected to because "(Figure 1)" should not be in the abstract section. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-4, 6, 8, 10-12 are rejected under 35 U.S.C. 102(a) as being anticipated by Walter Harold William Tuttlebee et al. (GB 2,344,009), hereinafter referred to as Tuttlebee.

Regarding claim 1, Tuttlebee disclosed a method for the selective delivery of data to an application by means of unidirectional communication, comprising associating with the data prior to transmission a status indicator, transmitting the data and status indicator (See page 4, lines 16-21. Status indicator is the pre-determined criterion), receiving the data and status indicator (See figure 2, block 200. See page 4, lines 16-21), ascertaining a present status of the application (See figure 2, block 206. See page 2, lines 9-11), comparing the ascertained present status with the status

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indicator (See figure 2, block 202), and enabling the application to read the data if the ascertained present status of the application is within the scope of the status defined by the status indicator (See figure 3; page 1, lines 21-23; page 4, lines 16-21) and inhibiting the application from reading the data otherwise (See figure 3, block 302).

Regarding claim 2, Tuttlebee disclosed a method, in which the status indicator defines a location (See page 2, lines 1-2).

Regarding claim 3, Tuttlebee disclosed a method, in which the location comprises at least two co-ordinates (See page 2, lines 1-2. Any location would be represented by at least 2 coordinates).

Regarding claim 4, Tuttlebee disclosed a method, in which the location comprises a predefined area (See page 1, lines 10-11; see page 6, line 14. Location is understood as a predefined area).

Regarding claim 6, Tuttlebee disclosed a method, in which the status indicator defines at least one climatic condition (See page 3, lines 10-12. Other criteria can be used like climate conditions where this can be used to filter out appropriate advertisements for this particular criterion).

Regarding claim 8, Tuttlebee disclosed a communication system operating in accordance with the method claimed in claim 1, comprising means for associating with data prior to transmission a status indicator (See page 4, lines 16-21. Status indicator is the pre-determined criterion), means for transmitting the data and status indicator, means for receiving the data and status indicator (See figure 2, block 200. See page 4, lines 16-21), means for ascertaining a present status of an application (See figure 2,

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block 206. See page 2, lines 9-11), and means for comparing the ascertained present status with the status indicator and enabling the application to read the data if the ascertained present status of the application is within the scope of the status defined by the status indicator (See figure 3; page 1, lines 21-23; page 4, lines 16-21) and inhibiting the application from reading the data otherwise (See figure 3, block 302).

Regarding claim 10, Tuttlebee disclosed a Data filtering apparatus (See figure 2, block 202) for use in a communication system, comprising means for comparing a present status (See figure 3, block 302; page 1, lines 21-23; page 4, lines 16-21) of an application with a status indicator associated with transmitted data (See page 4, lines 16-21. Status indicator is the pre-determined criterion), and means for enabling the application to read the data if the present status of the application is within the scope of the status defined by the status indicator (See figure 3; page 1, lines 21-23; page 4, lines 16-21) and inhibiting the application from reading the data otherwise (See figure 3, block 302).

Regarding claim 11, Tuttlebee disclosed a receiving station for use in a communication system (See figure 2), comprising means for receiving data and a status indicator associated with the data (See figure 2, block 200), means for ascertaining a present status of an application (See figure 2, block 202), means for comparing the ascertained present status of the application with the status indicator (See figure 2, block 202), and means for enabling the application to read the data if the ascertained present status of the application is within the scope of the status defined by the status

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indicator (See figure 3, block 306) and inhibiting the application from reading the data otherwise.

Regarding claim 12, Tuttlebee disclosed a receiving station, in which the means for ascertaining a present status of an application is an input means for receiving information about the present status of the application (See figure 2, block 206).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tuttlebee in view of Valentine (U.S. 6,442,394).

Regarding claim 5, Tuttlebee disclosed a system for selectively detect the data broadcast based on status ID associated with the receivers as described above.

Tuttlebee, however, fails to disclose the status indicator defines a combination of location and rate of change of location.

Valentine disclosed a system of providing traffic information to the mobile stations moving within the network by monitoring the location and speed of the mobile stations (See figure 2. Vehicle traffic information like the location and the direction information are sent to the source and the information are correlated with the roadway

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information. Speed of the vehicle is computed from the provided information of the vehicle).

It would have been obvious to one having ordinary skills in the art at the time the invention was made to define the status indicator as the location and the rate of change of location of a mobile station, the motivation being that by using this information, one can selectively provide appropriate and necessary traffic information to these particular moving stations in the right area.

7. Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tuttlebee in view of Wasilewski (U.S. 5,420,866).

Regarding claim 7, Tuttlebee, however, fails to disclose the status indicator comprises at least a directory name.

Wasilewski disclosed a method of providing a plurality of conditional access information to the decoders with each assigned a unique ID or status ID contained in a conditional access table or directory (See figure 5. See column 12, lines 27-29).

It would have been obvious to one having ordinary skills in the art at the time the invention was made to define the status indicator as a name of a directory consisting of many status indicators, the motivation being that by using the directory, one can selectively provide the receivers or decoders a list of choices of which information they want to decode or receive.

Regarding claim 9, Tuttlebee, however, fails to disclose an encoding apparatus for use in a communication system.

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Wasilewski disclosed the encoding apparatus used in sending the information and the status ID to receivers (See figure 2, block 11).

It would have been obvious to one having ordinary skills in the art at the time the invention was made to utilize the encoder to transmit traffic to the other end, the motivation being that encoder is necessary in transmitting packet traffic in wireless communication.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Q. Le whose telephone number is 571-272-2246. The examiner can normally be reached on 8 AM -5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ken Vanderpuye can be reached on 571-272-3078. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VL


KENNETH VANDERPUYE
PRIMARY EXAMINER